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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,745	02/09/2004	Eric Theodore Bax		1524

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AVAYA INC.  
307 MIDDLETOWN-LINCROFT ROAD  
ROOM 1N-391  
LINCROFT, NJ 07738

EXAMINER
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PANNALA, SATHYANARAYAN R

ART UNIT	PAPER NUMBER
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2164

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/775,745	<b>Applicant(s)</b> BAX, ERIC THEODORE	
	<b>Examiner</b> Sathyanarayan Pannala	<b>Art Unit</b> 2164	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 March 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 and 5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5 is/are rejected.
- 7) ☒ Claim(s) 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Response to Amendment*

1. Applicant's Amendment filed on 3/5/2007 has been entered with claims 1-3, 5 were amended. In this Office Action, claims 1-5 are pending.

### *Claim Objections*

2. Claims 1-2 and 5 are objected to because of the following informalities: the wording of claim is not correct. For example, on page 2, line 6, phrased as "receive receives", "values value" and "state, and state". Similarly phrased on page 2, line 8 phrased as "accumulated accumulating" and "scores. scores". Claim 2, on page 2, line 7, phrased as "producing a list of patterns is produced". Claim 4, on page 3, line 15, phrased as "other another", on page 4, lines 23, 27 and 29, phrased as "value a value", line 26, "a the" and line 35, 44 and 54 "for from". Finally, claim 5, on page 5, line 3, phrased as "value value", line 5, "a pattern the pattern", and line 6, "a corresponding the corresponding" and on page 6, line 16 phrased as "the a". **Every claim needs a thorough editing.** Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beesley (US Patent 7,072,880) hereinafter Beesley, and in view of Perotto et al. (US Patent 5,630,130) hereinafter Perotto.

5. As per independent claim 1, Beesley teaches a special encoded (finite-state) network is applied to an input string from a formal language and a set of labeled numbers that correspond to substrings of an input string is returned (col. 4, lines 3-7). Beesley teaches the claimed, a method for performing multi-counter evaluation of a text, applying to the text a finite-state machine augmented with state value lists, where each state value list indicates which counter receives which value for the state (Fig. 13-14, col. 13, lines 56-67 and col. 14, lines 16-24 and lines 30-33). Beesley teaches the claimed, accumulating the values of the states separately for each counter, thereby producing a list of counter scores (Fig. 13-14, col. 13, lines 56-67 and col. 14, lines 16-24, lines 30-33). Beesley teaches the claimed, updating each counter with its counter scores (col. 14, lines 51-58). Beesley does not explicitly teach using multi-counters. However, perotto teaches multi-counters (Fig. 1, col. 3, lines 66-67). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Perotto's

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teachings would have allowed Beesley's method to provide multitasking controllers to store values of accumulator register and index register (col. 3, line 20 and lines 24-25).

6. As per independent claim 2, Beesley teaches a special encoded (finite-state) network is applied to an input string from a formal language and a set of labeled numbers that correspond to substrings of an input string is returned (col. 4, lines 3-7). Beesley teaches the claimed, a method for performing counter evaluation of a text, applying to the text a finite-state machine augmented with state value lists, where each state value list indicates which patterns in which counters are found when the state is entered, producing a list of patterns for each counter (Fig. 13-14, col. 13, lines 56-67 and col. 14, lines 16-24 and lines 30-33). Beesley teaches the claimed, updating each counter with its list of patterns (col. 14, lines 51-58). Beesley does not explicitly teach using multi-counters. However, Perotto teaches multi-counters (Fig. 1, col. 3, lines 66-67). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Perotto's teachings would have allowed Beesley's method to provide multitasking controllers to store values of accumulator register and index register (col. 3, line 20 and lines 24-25).

7. As per independent claim 3, Beesley teaches a special encoded (finite-state) network is applied to an input string from a formal language and a set of labeled numbers that correspond to substrings of an input string is returned (col. 4, lines 3-7).

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Beesley teaches the claimed, a method for constructing a multi-counter finite-state machine augmented with state value lists, providing by computer an empty augmented finite-state machine that has only a start state, with no transitions and no value list and accumulating by computer a finite-state machine of each counter that corresponds to one or more pattern-amount pairs into the augmented finite-state machine to form a merged machine, including converting state values of states of the finite-state machines of the counters into state-value lists of states of the merged machine and updating the merged machine with the state-value lists (Fig. 13-14, col. 13, lines 56-67 and col. 14, lines 16-24 and lines 30-33). Beesley does not explicitly teach using multi-counters. However, perotto teaches multi-counters (Fig. 1, col. 3, lines 66-67). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Perotto's teachings would have allowed Beesley's method to provide multitasking controllers to store values of accumulator register and index register (col. 3, line 20 and lines 24-25).

8. As per independent claim 5, Beesley teaches a special encoded (finite-state) network is applied to an input string from a formal language and a set of labeled numbers that correspond to substrings of an input string is returned (col. 4, lines 3-7). Beesley teaches the claimed, a method for adding a pattern that consists of a single sequence and a corresponding pattern value from a counter to an augmented finite-state machine (col. 14, lines 16-24 and lines 30-33). Beesley teaches the claimed, providing the pattern (Fig. 14, col. 14, line 18). Beesley teaches the claimed, providing

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the corresponding pattern value (Fig. 14, col. 14, lines 51-52). Beesley teaches the claimed, providing the augmented finite-state machine having a plurality of machine states (Fig. 14, col. 14, lines 52-56). Beesley teaches the claimed, advancing through the machine states as by applying the machine to the sequence of characters as a text (Fig. 14, col. 14, lines 57-58). Beesley teaches the claimed, if the machine would halt when applied to the sequence of characters as a text, then adding states and transitions to the machine to prevent halting. Forbearing from the adding if the machine would not halt when applied to the sequence of characters as a text for the a final state that would be reached by the machine supplemented with the added states and transitions, forming a state value list if the final state lacks a state value list, Forbearing from forming a state value list if the final state has a state value list, and adding to the state value list a reference to the counter and the pattern value (col. 15, lines 6-51). Beesley teaches the claimed, updating the final state of the machine with the state value list (col. 14, lines 57-58). Beesley does not explicitly teach using multi-counters. However, perotto teaches multi-counters (Fig. 1, col. 3, lines 66-67). Thus, it would have been obvious to one of ordinary skill in the data processing art at the time of the invention, to have combined the teachings of the cited references because Perotto's teachings would have allowed Kaplan's method to provide multitasking controllers to store values of accumulator register and index register (col. 3, line 20 and lines 24-25).

***Allowable Subject Matter***

9. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Response to Arguments***

10. Applicant's arguments filed on 3/6/2007 have been fully considered but they are moot in view of the new ground(s) of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.




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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>.

Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Sathyanarayan Pannala  
Primary Examiner

srp  
July 20, 2007